

**REMARKS**

***Summary of the Office Action***

Claims 1-14 are all the claims pending in the application.

Claims 1, 2, 5, 6, 8, 9, 12 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Satoh et al. (U.S. Patent 4,545,044) in view of the admitted prior art.

Claims 3, 4, 7, 10, 11 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

***Claim Rejections - 35 U.S.C. § 103***

Independent claim 1 recites, *inter alia*, "a waveform rectification unit for comparing an RF signal read from a user data area of a recording medium with a reference signal, and outputting a rectified pulse signal, said user data area comprising a writable area and a non-writable area," and "a detection unit for detecting said writable area of the recording medium by using an output signal of the latch unit and the pulse signal." Independent claims 2, 8 and 9 recite similar features.

As discussed in the Amendment dated January 11, 2007, the envelope detecting circuit 32 of Satoh et al. is used to detect the impossibility of reading out the prewritten information or data, while the claimed invention relates to a detecting device for detecting a writable area before writing or reading of data with respect to an optical recording medium. On the other hand, the admitted prior art only teaches a general structure of an optical recording medium, and does not provide any teaching or suggestion about detecting a writable area.